

REMARKS/ARGUMENTS

Prior to this amendment, claims 2-8, 10-13, 15-18 and 22-33 were pending. In this amendment, claims 4 and 5 are amended. No claims are canceled or added. No new matter is added. Thus, after entry of this amendment, claims 2-8, 10-13, 15-18 and 22-33 remain pending.

Interview

Applicants would like to thank the Examiner for extending the courtesy of a telephone interview with counsel, David B. Raczowski, on June 24, 2008.

Allowable Subject Matter

Applicants note with appreciation the indicated allowability of claims 2-4, 10-13, 15-18 and 22-33 over the prior art of record, in particular, *Rao* (US 5,812,883).

Applicants also note with appreciation the indicated allowability of claims 5-8 if rewritten or amended to overcome the rejection under 35 U.S.C. § 112, ¶ 2, set forth in this Office Action.

Claim Objections, Claim 4

Claim 4 is objected to because of the following informalities: The claim recites the term, "claim26" in line 1, which should be "claim 26". Appropriate correction has now been made and Applicants believe that this claim is now in condition for allowance.

Claim Rejections 35 USC § 112, second paragraph

Claims 5-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Specifically, the term "partially executed" in the phrase "the growth program has at least been partially executed" is asserted as being indefinite.

Claim 5 now recites *"logic for sending a request command for a growth program to an optimized hard disk drive on which at least one instruction of the growth program has at least been executed by a processor of the optimized hard disk drive."* Applicants submit that claim 5 is now clear as the execution of at least one instruction of the growth program is definite. Accordingly, Applicants respectfully request withdrawal of this rejection.

Appl. No. 10/692,342
Amdt. dated June 24, 2008
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2627

PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

/David B. Raczkowski/

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